## The Commission Form of Government---The Lexington Plan

Title of the Act.

An act to amend an Act entitled "An factor abolished.

Act for the government of cities of the second class in the Commonwelth of Kentucky," which was approved in November of the year next following the year in which said election is held, there shall be elected by the approximate the same alaw, and as held, there shall be elected by the same has since been anmended, all of qualified registered voters of the city had a mendments now approximate to the same offices as above described that instead of electing the public service.

Corresponding times of the year, a primary election and an election shall pointment and discharge of employes as will tend to carry out the same offices as above described except that instead of electing the Mayor, the Police Judge shall be elected.

Publication of Reports.

Sec. 20. The Board of Commission.

Any legal voter of the year, a primary election and an election shall pointment and discharge of employes as will tend to carry out the same offices as above described except that instead of electing the Mayor, the Police Judge shall be elected.

Qualifications of Officials.

Any legal voter of the year, a primary election and an election shall pointment and discharge of employes as will tend to carry out the same offices as above described that instead of electing the Mayor, the Police Judge shall be elected.

Sec. 20. The Board of Commission.

Any legal voter of the year, a primary election and an election shall pointment and discharge of employes as will tend to carry out the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above described that instead of the same offices as above desc edition thereof, in 1909

Be it enacted by the General Assem-

1909, be amended by adding thereto, with the County Clerk a petition annual salary of three thousand dol-at the end thereof, the following prosigned by at least one hundred voters lars (\$3,000).

Organizing under this Act

this Act, shall continue to ap- ter; and he is in our judgment quali- otherwise provided. and to govern each city that fled for the duties of the office sought ganize under this act. And all by him. ordinances and resolutions in any such city and not incon- Names. with the provisions of this act shall continue to be in force until altered or repealed in manner provided for in this Act.

How to Take Vote of People. Sec. 3. It shall be the duty of the County Judge in the county in which is located a city proposing to take the sense of its voters, as herein provided, upon the question of organizing and being governed under this Act, upon the application by written petition signed by a number of the legal voters of said city equal to twenty-five per centum of the votes cast in said city at the last preceding general election, and at the last preceding general election, and at the last preceding general election, and at the last preceding and the office that is to be filled. In the event of Commissioners shall, and are the last preceding and resume his duties and any such the meant of the Mayor shall preside at meeting of the Board. He shall have no the meant of the works and any such the many such the meant of the many such the meant of the works and resume his duties and any such the meant of the works and resume his duties and any such the meant of the works and resume his duties and any such the meant of the works and resume his duties and any such the meant of the works and resume his duties and any such the meant of the works and one temporary appointee shall serve with out compensation. In the event of a cast in said city at the last preceding permanent vacancy in the Board of Commissioners caused by the death, resignation or inability of any member of the legal voters and one temporary appointee shall serve with the commissioners caused by the death, resignation or inability of any member of the legal voters and one temporary appointee shall have no out compensation. In the event of the legal voters are the many such the meant of the meant of the works and resume his duties and any such the meant of the meant

thereafter in due course became a law and as same has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter 89 of the Kentucky Statutes, in John D. Carroll's edition thereof, in 1909, adopted by the General Assembly of nor any sign indicating any applicant's missioners.

The ballots shall contain no party adopted by the General Assembly of nor any sign indicating any applicant's missioners.

The ballots of the applicants for nomination of ten days after its passage, except in case of emergency the public health or safety shall require that it take immediate effect, which fact shall be declared by the unanimous vote of the Board of Commissioners. But the amendments now appear as Article 3, Chapter 89 of the Kentucky without having been given the right statutes in John D. Carroll's edition by counsel, and with with nessensation by counsel to testify. The findings of the Rentucky and passage, except in case of emergency the public health or safety shall require that it take immediate effect, which fact shall be declared by the unanimous vote of the Board of Commissioners.

But days after its now such officer shall be so removed it in such as a full public health or safety shall require that it take immediate effect, which fact shall be declared by the unanimous vote of the Board of Commissioners.

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The ballots shall contain no party which fact shall be declared by the general Assembly of the County shall be a safety shall be so removed to such as a full public health or safety shall require that it take immediate effect, which fact shall be so removed to such as a full public health or safety shall require

Manner of Nominating. 6. No person shall be elected Cities May Organize. In the manner hereizafter prescribed. Section 1. That an Act entitled, "An On the third Saturday before the day on the first Monday in January followate for the government of cities of for the regular election, there shall the second class in the Commonwealth be held a primary election. Said primary election shall be conducted by March the 19th, 1894, and thereafter the same officers, chosen and acting the same of without first having been nominated became a law, and the amendments in the same manner, with the same

at the end thereof, the following provisions:

Any city of the second class under "We, the undersigned, the laws of the Commonwealth of the laws of the Commonwealth of the laws of the Commonwealth of the laws of the provisions of the detail the provisions of the governed under the provisions of this Act by proceeding as hereinafter provided. Organizing under this Act the provided on the hellet as that of any provided on the following forms:

The Commissioner of each department and the ment shall keep a public office at the ment shall keep a public office at the ment shall keep a public office at the city building, at which place he may be found or communicated with during the Mayor provided any provided on the following forms:

The Commissioner of each department and the matter voters of the Mayor the shall not change the corporate entity placed on the ballot as that of an ap- where. of any city, but the body-politic and plicant for nomination for the office 

officer of said county who may be appointed to hold said election, to spen the point at each and all of the voting places in said city, for the purpose of taking the sense of the qualified voters of the said city upon the question as to whether or not the citizens in said city are in favor of the organins and government of said city upon the question and government of said city unmade the provisions of this Act. The question to be submitted to the voters shall thereupon cause the primary ballots; and shall be:

| A vacancy shall exist when any tender the provisions of the primary ballots; and shall the polls at each and all of the voting bility to attend to the duties of his for the time he serves as such receive the salary of the commissioner whose places in said city for the purpose of the salary of the commissioner whose places in said city upon the question.

Sec. 14. Every ordinance or resolution of recommendation of the commissioner whose places in said city upon the question of the salary of the commissioner whose places in said city upon the question of the salary of the commissioner whose places in said city upon the question of the salary of the commissioner whose places in said city upon the question of the salary of the commissioner whose places hall the polls at each and all of the voting the salary of the commissioner whose places has been appointed to fill.

Sec. 14. Every ordinance or resolution of any street sewer or other public work, or making or authorizing any contract involving the other public work, or making or authorizing any contract involving the time he serves as such receive the salary of the commissioner whose places has been appointed to fill.

A vacancy shall exist when any stowhether or not the citizens of the salary of the commissioner whose places in said city for the purpose of the salary of the commissioner whose places in said city for the purpose of the salary of the commissioner whose places in said city for the purpose of the salary of the commissioner whose places in sa "Are you in favor of the organization and government of the city of (naming the city in which said vote is to be taken) under the provisions of An Act to amend An Act entitled, "An Act for the government of cities of the second-class in the Commonwealth of Kentucky," which was approved March 19, 1894, and tion for Mayor shall be printed the or resolution shall go into effect until mous vote of the other four members been amended, all of which said Act thereafter in due course became a law words, "Vote for one," and the above the expiration of ten days after its of the Board of Commissioners. But and amendments now appear as Arand as same has since been amended, names of the applicants for nominal passage, except in case of emergency.

Kentucky of the 1910 session thereof." political belief, or party affiliation.

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Sec. 15. The Board of Commissions for any such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal, shall be sounty or to such other officer as may such removal. county, or to such officer as may be cause to be delivered at each polling for the transaction of its business. It of public record. appointed to hold said election, a cer-place a number of said ballots equal shall fix by ordinance the times of tified copy of the order of the County to twice the number of votes cast in holding its regular meetings. Any Court, as it appears on the order book, within five days after such order is made; and it shall be the duty of said. Sheriff, or other such officer, to have said order published in some weekly or daily newspaper published and circulated in said county, for at least two ble to challenges made at a general municipal election, and the law applications of the city shall be classified under the conditates for Mayor at the last present the same length of time. If there is no weekly or time. If there is no weekly or time. If there is no weekly or time. Court, as it appears on the order book, such polling precinct at the last prewithin five days after such order is ceding general municipal election for
made; and it shall be the duty of said Mayor. The persons who are qualified
Sheriff, or other such officer, to have to vote at the general municipal elecFive Departments Created.

Any Section in the days after land any such or uch order is made, and it shall be following the passage of any such or uch order is made, and it shall be meetings may be called by the following the passage of any such or uch order is made, and it shall be following the passage of any such or uch order is made, and it shall be duty of the said Sheriff or some made; and it shall be the duty of said Mayor. The persons who are qualified for the days become effective, a petition sign of the passage of any such or uch order is made, and it shall be following the passage of any such or uch order is made, and it shall be duty of the said Sheriff or some made; and it shall be the duty of said Mayor. The persons who are qualified for the days become effective, a petition sign of the passage of any such or uch order is made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of said Mayor. The persons who are qualified for the days after such order is made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the passage of any such or uch order is made and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some made; and it shall be the duty of the said Sheriff or some ous places in said city, for the same immediately upon the closing of the length of time. If there is no weekly polls count the ballot and ascertain

which act and amendments now ap a Mayor and four Commissioners.

Any legal voter, of not less than pear as Article 3 of Chapter 89 of the Said officers shall be elected from the pear as Article 3 of Chapter 89 of the Said officers shall be elected from the twenty-five years of age, and possessing the other qualifications prescribed by law, shall be eligible to election itemized statement of all receipts and to any office under this act.

Mayor's Salary.

Sec. 10. The Mayor shall be elected At the termination of each far

became a law, and the amendments in the same manner, with the same sec. II. The Commissioners shall official newspaper and in pamphlet thereto, which act and which amend-rights and duties, as in the later regulated be elected each for a term of two form, and a copy of the report in ments do now appear as Article 3, of lar election. Fach applicant for noming years, beginning on the first Monday pamphlet form to be given to each Chapter 89 of the Kentucky Statutes, nation shall, at least ten days before in January following his election; and in John D. Carroll's edition thereof in the day for said primary election, file each Commissioner shall receive an proper office.

of inconsistent with the provis- of the city and a man of good charactive power of the city, save as herein missioner. In the event that any com-

Sec. 13. Three members of the Board of Commissioners shall constitute a quorum, but the affirmative or in the event the Mayor protection. vote of at least three members shall or in the event the Mayor pro tem be necessary to the adoption of any shall be filling the office of Mayor, as motion, resolution or ordinance, to the contemplated in section 13 above, for making or approval of any contract, such period, the Board of Commissionor to the passage of any measure.

For each vote the yeas and nays shall be recorded; and each motion, resolution and ordinance shall be reduced to writing and read before the vote is taken thereon.

1. Department of Public Affairs;
2. Department of Public Finance;
3. Department of Public Safety;
4. Department of Public Works.
5. Department of Public Property.

dinance shall not be amended or re-pealed, except by the voters at a regu-lar blennial city election. Any num-ber of proposed ordinances requested by petition as above provided for may be voted on at any election.

The Board of Commissioners may submit the question of the repeal or

submit the question of the repeal or amendment of any such ordinance to the voters at any succeeding regular election; and if a majority of the votes cast on such question be in favor of the repeal or amendment such ordi-

nance shall be thereby repealed or amended, as the case may be.

Publication of Ordinances.

Section. 25. Whenever a question of passage of a proposed ordinance, or of the going into effect, or the reexpenditures of the city during that peal, or the amendment of an ordinance is to be submitted to the voters at an election, the Board of Commis-sioners shall cause the proposed ordinance, or the ordinance and amendment, as the case may be, to be printed once before such election in the official newspaper of the city, and Sec. 11. The Commissioners shall official newspaper and in pamphlet in such other newspapers as the Board of Commissioners may direct before

Expense of Primary Election. Sec. 26. The expenses of all primary lections under the provisions of this

Sec. 21. In case of the death, resignation or inability of the Mayor, causset shall be paid by the city.
Sec. 27. The Mayor and each Commissioner shall execute a guarantee bond to the city upon which an action may be maintained by any person or persons as shall be interested in the keeping of the covenants therein con-tained, in the penal sum of ten thou-Mayor pro tem until such vacancy in the office of Mayor is filled by an elecsand dollars (\$10,000), conditioned upon the faithful performance of his official duties; such bonds to be approved by the County Judge, and filed as matters of public record.

Sec. 28. Nothing herein shall be construed to apply to the organizamissioner shall for more than thirty tion, existence or conducting of the affairs of the Board of Education.

days be necessarily absent from the Cities May Reconsider. 29. Whenever the citizens of any city shall have been organized and governed under the product this act for a period of not less than four years, shall desire that the orcity under the provisions of this act shall terminate and cease and said citizens shall file with the County Judge of the county in which is losioner shall return or become fit for ed by a number of legal voters of said next regular term thereafter, to make that a person shall sign more that an order on his order book directing an order on his order book directing an one petition of applicants for nomination for the next regular election and not ear shall sign the petitions of more than lier than sixty days after said applicants for nomination for order shall direct the sheriff, or other order shall direct the sheriff, or other officer of said county who may be appointed to hold said election.

The third regular term thereafter, to make that a person shall sign more that at the beginning of its term of office, shall be filled by the Mayor pro tem, shall be filled by the Mayor pro tem, shall be filled by the other members of the Board until the vacancy shall be filled by the cation is lodged with said judge, which commissioners, then the name of said the powers and shall perform all the Board until the vacancy shall be filled by the Mayor pro tem, shall be filled by the other members of the Board until the vacancy shall be filled by the Mayor pro tem, shall be filled by the other members of the Board until the vacancy shall be filled by the cancey shall be filled by the other members of the Board until the vacancy shall be filled by the other members of the Board until the vacancy shall be filled by the Mayor pro tem, s

> and government under the provisions of an "Act to amend an act, entitled, 'An Act for the government of cities bility, or wilful neglect in the per of the second class in the Common-formance of the duties of his office, wealth of Kentucky, approved March the Mayor or any Commissioner may 19, 1894, and thereafter in due course

Removal From Office.

Sec. 23. If during the ten days next order book, within five days after to district the same by printed or written hand bills posted in consulting count of time. If there is no weathy and the country of the property of the propert

## Berryman Offers To Keep City Streets Clean At Cost If Commission Plan Wins

Will Take the Contract, Either at Cost to be Determined After Work Is Done or at Fixed Price, and if There Is Any Profit Will Return It to Municipal Treasury When it Is Ascertained.

GREATEST CHANCE LEXINGTON HAS EVER HAD; OPPORTUNITY SHOULD BE WELCOMED

No Obligation On Fart of Commissioners to Accept Proposition Manager of Elmendorf Makes, Unless It Is Advantageous to the People.

Mr. Charles H. Berryman, who has large interests in Lexington and is, both from the standpoint of a taxpayer and a citizen vitally concerned in Lexington's welfare, has authorized The Herald to make the statement that if the Commission Form of Government is adopted he will offer to take a contract to keep the streets of Lexington clean for one year at actual cost.

Mr. Berryman will offer to the city, if the Commission Form of Government is adopted, to take that contract for one year either at cost to be determined after the work is done, or at a fixed price, with the agreement that if it costs less than that price to keep the streets clean, so that there would be a profit on the contract, he will return that profit to the city.

Ir other words he pledges himself, if the Commission Form of Government is adopted so that there is direct responsibility and direct authority without possibility of graft, to give to the citizens of Lexington the opportunity to have clean streets at the actual cost of keeping them clean, and to do this under a contract that will fix a maximum price, so that if it does cost more than that, the city will not be the loser, and if it costs less the profit will be returned to the city.

Under this offer the city will have what it has never had—clean street and will have the opportunity to learn what it costs to keep them clean. The contract for cleaning the streets has been one of the problems of city politics for many years. What it costs to keep the streets in the condition in which they have been kept no one knows except the officers of the company that has had the contract; how great the profits only they know, but everyone knows what the conditions of the streets has been.

Mr. Berryman, who has an intense interest in the growth of Lexington, who has every reason to want good government, and who has demonstrated his capacity to manage large affairs, is so anxious for Lexington to be cleaned and kept clean that, if the Commission Form of Government is adopted, he will give to the city the opportunity to find out what it means to have clean streets and what it costs to keep them clean.

Is there any citizen who wants clean streets, and who is not directly interested in the perpetuation of the present system of allotting contracts, who will not welcome this opportunity to have the streets of Lexington kept clean at cost through the adoption of the Commission Form of Government?

There is, it is needless to say, no obligation on the part of the Commissioners to accept Mr. Berryman's offer, unless it is to the advantage of the people to do so. His promise is simply to give them the opportunity to accept such an offer, and it seems to The Herald it is the first, as the greatest, chance Lexington has ever had to get clean streets.

